

IN THE SUPREME COURT OF
FLORIDA

INQUIRY CONCERNING A JUDGE
THE HONORABLE ROBERT T. BURGER,
JQC 15-503

SC15-____

_____/

FINDINGS AND RECOMMENDATION OF INVOLUNTARY RETIREMENT

The Commission through its Investigative Panel has received information that Judge Robert T. Burger is being treated by Lee S. Scheinbart, M.D. who has furnished his report to the Panel that is attached as Exhibit #1.

Dr. Scheinbart, M.D. states that he has been treating Judge Burger for metastatic colon cancer since January 2015. He is of the opinion that the condition is permanent and the condition and concurrent treatment seriously interferes with and prevents Judge Burger from the performance of his judicial duties. Chief Judge John Galuzzo concurs with Dr. Scheinbart that the condition prevents Judge Burger from fulfilling his judicial duties and on behalf of Judge Burger, requests the Commission to take this action.

Accordingly, the Investigative Panel, based these uncontroverted facts, concludes that Judge Burger is permanently disabled and incapable of performing his duties as a circuit court judge. The Investigative Panel therefore respectfully recommends to the Supreme Court of Florida that Judge Burger be involuntarily retired by reason of a permanent disability that seriously interferes with the performance of his

RECEIVED, 10/05/2015 02:28:30 PM, Clerk, Supreme Court

judicial duties, pursuant to Article V, Section 12(c)(1) of the Florida Constitution and Rules 6(a) and 6(j) of the Florida Judicial Qualifications Commission Rules, immediately upon the filing of any opinion accepting and confirming this recommendation.

Dated this 24th day of September 2015.

INVESTIGATIVE PANEL OF THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION

By:/s/ Michael L. Schneider
Michael L. Schneider
Executive Director and General Counsel
Florida Bar No. 525049
Florida Judicial Qualifications Commission
P.O. Box 14106
Tallahassee, FL 32317
mschneider@floridajqc.com
850-488-1581

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished by Email to Judge Robert T. Burger, 2825 Judge Fran Jamieson Way, Viera, Florida, 32940-8006, this 25th day of September, 2015.

/s/ Michael L. Schneider
Michael L. Schneider
Executive Director and General Counsel